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**UNITED STATES DISTRICT
DISTRICT OF NEVADA**

MILLIE ESPOSITO, an individual

Plaintiff,

vs.

MARIE HEILBERG, an individual, PATRICIA ANN
BASCOM, an individual, LAWYERS TITLE OF
NEVADA, INC., a Nevada corporation, PAULA L.
DIFULVIO, an individual, NATIONAL ALLIANCE
TITLE COMPANY, a Nevada corporation,
TAYLOR, BEAN AND WHITAKER, a Nevada
corporation, SUNTRUST MORTGAGE, INC., a
Nevada corporation, FEDERAL HOME LOAN
MORTGAGE CORPORATION, a governmental or
business entity, from unknown, DOE individuals I-X,
inclusive; ROE business entities XI-XX, inclusive,

Defendants.

FEDERAL HOME LOAN MORTGAGE
CORPORATION, a governmental or business entity

Cross Claimant,

vs.

MARIE HEILBERG, an individual, TAYLOR,
BEAN AND WHITAKER, a Nevada corporation,
DOE individuals I-X, inclusive; ROE business
entities XI-XX, inclusive,

Cross-Defendants.

Case No. 2:11-cv-00958-PMO-RJJ

**MOTION FOR ENTRY OF
DEFAULT JUDGMENT AGAINST
CROSS DEFENDANT MARIE
HEILBERG**


Cross Claimant, FEDERAL HOME LOAN MORTGAGE CORPORATION moves the
above-entitled Court to enter Default Judgment in favor of Cross Claimant and against Cross

1 Defendant MARIE HEILBERG for Implied/Equitable Indemnity and Contribution in regards to
2 the real property located at 817 Yacht Harbor Drive, Las Vegas, Nevada 89145 (the "Property").

3 This Application is made on the ground that a Default has been entered against MARIE
4 HEILBERG for failure to answer or otherwise defend as to the Complaint on behalf of Cross
5 Claimant and that said Cross Defendant is not in the military service of the United States nor an
6 infant or incompetent person. A proposed Default Judgment is attached hereto **Exhibit 1**.

7 DATED this 1st day of May, 2013

FIDELITY NATIONAL LAW GROUP

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11 Marni Rubin Watkins, Esq.
12 Nevada Bar No. 9674
13 2450 St. Rose Parkway, Ste. 150
14 Henderson, Nevada 89074
15 Attorneys for Federal Home Loan
16 Mortgage Corporation

17 **AFFIDAVIT OF MARNI RUBIN WATKINS, ESQ.**
18 **IN SUPPORT OF MOTION FOR ENTRY OF DEFAULT JUDGMENT**

17 STATE OF NEVADA)
18) ss.
19 COUNTY OF CLARK)

20 I, MARNI RUBIN WATKINS, ESQ., do hereby swear under penalty of perjury that the
21 following assertions are true to the best of my knowledge and belief and as provided to me by my
22 client:

23 1. Affiant is the attorney for Cross Claimant in the above-entitled action and has made
24 careful investigation in the case, and has been informed and believes that Cross Defendant
25 MARIE HEILBERG is not in the military service of the United States nor is an infant or
26 incompetent person.

27 2. Cross Defendant MARIE HEILBERG was personally served with the Cross Claim on
28 November 12, 2011 as evidenced by the Executed Summons, attached hereto as **Exhibit 2**. More
than 20 days have elapsed since said service and the Cross Defendant has not answered, or

1 otherwise responded and no extension has been granted.

2 3. Cross Defendant MARIE HEILBERG was served with the Default via United States
3 Mail on February 4, 2013 as evidenced by the Notice of Default filed on February 4, 2013,
4 attached hereto as **Exhibit 3**.

5 4. As of today's date, Plaintiff has incurred reasonable attorney's fees in the amount
6 of \$17,675.00, as evidenced by the invoice attached hereto as **Exhibit 4**, with costs in the amount
7 of \$1,346.15 as evidenced by the Proposed Bill of Costs attached hereto as **Exhibit 5**. These fees
8 include the following services: Review of documents provided by client; research; preparation of
9 documents for recording and filing with the Court, filing fees, recording fees, and service fees.
10 These services were all necessary for the prosecution of this action and are believed by Affiant to
11 be reasonable. Plaintiff seeks attorneys' fees pursuant to NRS 108.237(1).

12 FURTHER YOUR AFFIANT SAYETH NAUGHT.

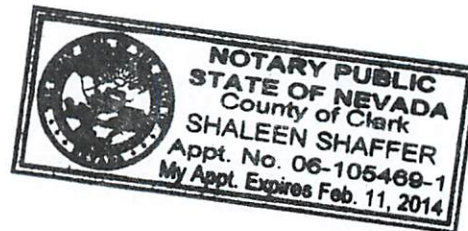
13 DATED this 1st day of May, 2013.

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16 MARNI RUBIN WATKINS, ESQ.

17 SUBSCRIBED AND SWORN to before

18 Me this 1st day of May, 2013.

19 
20 NOTARY PUBLIC
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24 IT IS SO ORDERED.

25 
26 PHILIP M. PRO
27 UNITED STATES DISTRICT JUDGE
28

Dated: May 3, 2013

CERTIFICATE OF SERVICE

I hereby certify that I electronically transmitted the foregoing **MOTION FOR ENTRY OF DEFAULT JUDGMENT AGAINST CROSS DEFENDANT MARIE HEILBERG** to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all parties listed as CM/ECF registrants, or to the following non-registrants by U.S. Mail, on the date below shown.

Marie Heilberg
1880 E. Warm Springs Rd., Ste. 130
Las Vegas, Nevada 89119

DATED: 5/2/13

Jennifer MacDonald
An employee of Fidelity National Law Group